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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 CHRISTOPHER SCALES,

9 Plaintiff,

10 v.

11 MARY SCOTT,

12 Defendant.

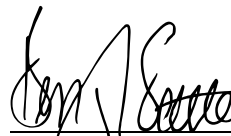
CASE NO. C08-5480BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

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14 This matter comes before the Court on the Report and Recommendation of the  
15 Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 56). The Court having  
16 considered the Report and Recommendation and the remaining record, and no objections by  
17 Plaintiff having been filed, does hereby find and order:

- 18 (1) The Court adopts the Report and Recommendation; and  
19 (2) This action is **DISMISSED** with prejudice because Plaintiff has not pleaded  
20 facts sufficient to survive Defendant's motion for summary judgment. *See* Fed.  
21 R. Civ. P. 56(c).

22 DATED this 3<sup>rd</sup> day of January, 2010.

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25 BENJAMIN H. SETTLE  
26 United States District Judge  
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ORDER